

1 part of Chinese territory, and decides to remove all its official
2 representations from Taiwan within one month from the date of
3 signature of this communiqué;”

4 **WHEREAS**, the Philippines respects the person to person
5 relationship with the inhabitants of Taiwan and private presence is
6 maintained through the Manila Economic and Cultural Office (MECO),
7 a private corporation representing the Philippines;

8 **WHEREAS**, there have been reports that recent actuations of the
9 “new management” of MECO may prove to be in violation of the “One
10 China Policy.” Allegedly, MECO has began treating its regular
11 employees as mere political appointees of government who are
12 coterminus with the former administration, with some of them
13 reportedly forced to resign or retire to give the “new management” a free
14 hand to appoint their own people;

15 **WHEREAS**, MECO was declared by the Supreme Court in the
16 case of *Funa vs. Manila Economic and Cultural Office*, G. R. No.
17 193462, February 4, 2014, as a non-governmental entity. Thus, MECO’s
18 regular employees should enjoy security of tenure in accordance with
19 the Constitution and existing labor laws and should not be removed for
20 the reason of giving the “new management” the right to appoint people
21 in accordance with wishes of the Philippine government or its political
22 appointees;

23 **WHEREAS**, the method of constituting its Board of Directors and
24 appointment of its officers and employees in accordance with the
25 “control and supervision” of the Executive Department of the Philippine
26 government or by its political appointees may result in removing the
27 status of MECO as a private corporation and it may be considered a
28 government-controlled entity performing diplomatic functions in
29 Taiwan, which is a complete violation of the “One China Policy;”

30 **WHEREAS**, there is a need to review the consular functions being
31 performed by MECO as a “private corporation” by virtue of mere
32 executive order of the President in order to determine its legality and its
33 implication to the “One China Policy;” and

34 **WHEREAS**, in order to avoid tensions between China,
35 Philippines, and Taiwan, it is imperative and necessary to conduct an
36 inquiry on the status of MECO and if found necessary, to enact
37 legislation to avoid any serious diplomatic issues and problems
38 concerning the “One China Policy;”

1 **NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY**
2 **RESOLVED**, to direct the Senate Committee on Foreign Relations to
3 investigate, in aid of legislation, the following:

- 4 1. The legal basis of the existence of MECO and its authority to
5 perform diplomatic and consular functions;
- 6 2. MECO's substantive and procedural systems in the election of the
7 members of its Board of Directors;
- 8 3. The Philippine government's actual and real role in the
9 appointment of "political appointees" who will serve as Chairman,
10 Resident Representative of MECO, and other officers including
11 historical facts related to the appointment of such officers;
- 12 4. The status of regular employees in MECO and the method of
13 hiring and firing, including the issues of whether they are treated as
14 mere government appointees that serve at the pleasure of the
15 Philippine government; and
- 16 5. All other systems and procedures being practiced in MECO that
17 may be in violation of the "One China Policy;"

18 with the end view of possibly instituting legislation that should prevent
19 the Philippine government and its public officers and employees,
20 including MECO, from violating the "One China Policy."

Adopted,


AQUILINO "KOKO" PIMENTEL III